



S. 888 – The Genocide Accountability Act

FLOOR SITUATION

S. 888 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation passed the Senate by unanimous consent on March 29, 2007. It was introduced by Senator Richard Durbin (D-IL) on March 15, 2007. The bill is expected to be considered on the floor on December 5, 2007.

Note: Identical legislation, H.R. 2489, was introduced on May 24, 2007, by Representative Howard Berman (D-CA). The House Judiciary Committee approved H.R. 2489 by voice vote on November 7, 2007.

SUMMARY

S. 888 expands the circumstances under U.S. law in which individuals can be charged with the crime of genocide.

Under current law, the circumstances include offenses committed within the U.S. or offenses committed by U.S. nationals. The bill adds offenders that are aliens lawfully permitted in the U.S.; 2) stateless persons who habitually reside in the U.S.; and 3) offenders that are brought into or found in the U.S. regardless of whether the crime occurred outside of the United States. It also adds crimes of genocide that occur in whole or in part within the United States.

BACKGROUND

U.S. law defines genocide as a crime in which an individual has the specific intent to destroy, in whole or substantial part, a national, ethnic, racial, or religious group by 1) killing, seriously injuring, or permanently impairing its members; 2) subjecting them to conditions intended to cause their destruction or to prevent births; or 3) taking their children by force.

The United States helped draft the U.N. Convention on the Prevention and Punishment of the Crime of Genocide and signed the treaty in December 1948. The Senate, however, did not ratify it until February 1986. President Reagan signed the law criminalizing genocide (P.L. 100-606) in November 1988, as required by the treaty.

COST

The Congressional Budget Office estimates that H.R. 2489, the House version of S. 888, would not have a significant impact on federal spending or revenues.

[CBO Estimate: H.R. 2489](#)

STAFF CONTACT

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